

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

PATRICK JENNINGS, #2047250 §

VS. § CIVIL ACTION NO. 6:20cv363

KEITH GORSUCH, ET AL. §

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

This action was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636. On August 28, 2020, the Magistrate Judge issued a Report and Recommendation (Docket No. 10), recommending that the action be dismissed without prejudice for want of prosecution and failure to obey an order of the court.

The Court reviews objected-to portions of the Magistrate Judge's Report and Recommendation de novo. *See* FED. R. CIV. P. 72 and 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made."). The Court conducting a de novo review examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), superseded on other grounds by statute, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

Having reviewed Plaintiff's objections de novo (Docket No. 12), the Court concludes that the objections are without merit and that the findings and conclusions of the Magistrate Judge are correct. Accordingly, it is hereby **ORDERED** that the Magistrate Judge's Report (Docket No.

10) be **ADOPTED** and that the above-styled civil action be **DISMISSED WITHOUT PREJUDICE** for want of prosecution and failure to obey an order of the court.

So **ORDERED** and **SIGNED** this **23rd** day of **September, 2020**.



Jeremy D. Kernal
JEREMY D. KERNODE
UNITED STATES DISTRICT JUDGE